

REMARKS

Interview with Examiner on December 21, 2006

Applicants thank Examiner for the telephone Interview had on December 21, 2006. In that Interview, Applicants presented a proposed amendment to representative claim 1 in an effort to better define Examiner's indicated allowable subject matter. Applicants noted that the Office Action dated September 28, 2006, indicated representative Claim 7 in independent form would be patentable. Claim 7 includes all of the limitations of Claims 2, 6, and 7. The proposed Claim 1 contained all of the limitations of claims 2 and 6 but not of claim 7. In the Interview, Applicants pointed out that Claim 1 as amended is patentable under 35 USC 102(e) over the Whitehead Publication because Whitehead is not an anticipatory reference under 35 USC 102 for the reasons which will be hereinafter set forth.

Amended Claims 1, 3-5, 7-9, 11-13, 15-17, 19-21, and 23-24 are Not Anticipated under 35 U.S.C. 102(e) by the Whitehead Publication (US2002/0199182).

Independent claim 1 has been amended to include the elements of dependent claims 2 and 6 which have been cancelled. Likewise, independent claim 9 has been amended to include the elements of dependent claims 10 and 14 which have been cancelled, and independent claim 17 has been amended to include the elements of dependent claims 18 and 22 which have been cancelled.

In order to reject under 35 USC 102, the reference must expressly or impliedly teach every element of the invention without modification. Whitehead does not do this. The claimed invention provides a system for facilitating the reorganization of the information technology of a business organization into a structure that is modular and, thus,

AUS920011017US1

PATENT
10/042,483

interchangeable between business units within the organization. The invention involves a computer controlled system for modularizing the information technology structure of a business organization into a structure of interchangeable holonic self-contained modules, with each module performing a set of related functions. The claimed invention requires an integration holon to integrate a set of holons of one business type into a unitary overall holon of the same business type.

Whitehead does not deal with holons or unitary integrated holons. However, even if Whitehead's modules could be considered the equivalent of holons, there is no disclosure of integrating the modules of a set of modules of one business type into unitary overall module of the same business type by an integration module.

The Whitehead customer billing application module cited by Examiner as a coordinating or integrating module does not coordinate modules of the same business type. Rather the billing module of Whitehead coordinates modules of a variety of different business types to get a coordinated billing for the diverse activity types of modules.

PATENT
10/042,483

Thus, Whitehead fails to teach the element: integrating the modules into a set of modules of one business type into unitary overall module of the same business type. This is not a teaching of every element of the claimed invention without modification as required by 35 U.S.C. 102.

In view of the foregoing, it is submitted that claims 1, 3-5, 7-9, 11-13, 15-17, 19-21, and 23-24 as amended are now in condition for allowance, and such allowance is respectfully requested.

Respectfully submitted,

J. B. Kraft 12/31/06
J. B. Kraft
Attorney for Applicants
Registration No. 19,226
(512) 473-2303

PLEASE MAIL ALL CORRESPONDENCE TO:

David A. Mims
IPLaw Dept. - IMAD 4054
IBM Corporation
11400 Burnet Road
Austin, Texas 78758

AUS920011017US1